

COUNTY OF SUFFOLK



EDWARD P. ROMAINE
SUFFOLK COUNTY EXECUTIVE

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DEPARTMENT OF LAW

January 30, 2024

Hon. Peggy Kuo, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza
Brooklyn, New York 11201-1818

Re: Newkirk v. County of Suffolk, et al.
Docket No. 17-cv-2960 (MKB)(PK)

Dear Judge Kuo:

The Suffolk County Attorney's Office represents Defendant Police Officer Mark Pav in the above-referenced matter. Plaintiff is represented by attorneys Michael Brown, Christopher Bianco and Brian Egan. The parties are in receipt of the Court's Order dated January 26, 2024 which, *inter alia*, scheduled a video settlement conference in this matter for March 1, 2024 at 2:00 pm. This Order further set the deadline for the parties to submit confidential *ex parte* settlement statements to Chambers via e-mail for seven (7) business days prior to the conference (February 21, 2024).

As was noted during the conference, the individual from this Office with settlement authority who will be appearing with me for the settlement conference in this matter is my boss, Deputy County Attorney Susan A. Flynn. Unfortunately, since scheduling this conference with the Court and opposing counsel at the end of last week, I have learned that Ms. Flynn is unavailable to appear on March 1, 2024 due to a previously-scheduled mediation on another case which is expected to last all day. Upon learning this, I spoke to Mr. Brown, Mr. Egan and Mr. Bianco and acquired their consent to adjourn the conference to a date wherein Ms. Flynn is available to appear.

Based on the schedules of the five attorneys referenced who are involved in this matter and the plaintiff, the parties respectfully request that the settlement conference currently scheduled for March 1, 2024 at 2:00 pm be rescheduled to one of the following three (3) dates on which all attorneys and the plaintiff are available to appear for the video conference in the afternoon hours:

March 13, 2024 (with confidential *ex parte* settlement statements due to Chambers by March 4);

March 15, 2024 (with confidential *ex parte* settlement statements due to Chambers by March 6); or

March 19, 2024 (with confidential *ex parte* settlement statements due to Chambers by March 8).

If these dates and times are not convenient to the Court, the parties respectfully request the opportunity to submit additional convenient dates for ease in scheduling and to avoid a subsequent request for an adjournment due to a scheduling conflict.

We thank the Court for its consideration of this request.

Respectfully submitted,

Christopher J. Clayton
Acting County Attorney

By: /s/ Stacy A. Skorupa
Stacy A. Skorupa
Assistant County Attorney

CC: Counsel for all parties (via ECF)